

## **REMARKS**

The Office Action mailed July 24, 2006 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

### **Rejection(s) Under 35 U.S.C. § 102**

Claim 1 was rejected under 35 U.S.C. § 102(e) as anticipated by Lee et al. (U.S. pub. no. 2005/0141457). Claim 1 has been amended to state that the associating is includes “establishing a topology map based on traffic patterns in the wireless network.” This feature is not disclosed in Lee, and for this reason at least Claim 1 is patentable thereover.

It will be appreciated that, according to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102 only if each and every claim element is found, either expressly or inherently described, in a single prior art reference.<sup>1</sup> The aforementioned reasons clearly indicate the contrary, and withdrawal of the 35 U.S.C. § 102 rejection based on Lee et al. is respectfully urged.

### **Rejection(s) Under 35 U.S.C. § 103 (a)**

Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Lee et al. (U.S. pub. no. 2005/0141457) in view of Ritter et al. (U.S. pat. no. 5,570,084). Ritter fails to overcome the deficiency of Lee in associating step that includes “establishing a topology map based on traffic patterns in the wireless network.” For this reason at least, Claim 2 is patentable over the combination of Lee and Ritter.

### **Conclusion**

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

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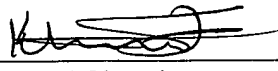
<sup>1</sup> Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,  
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